



City of Lowell Planning Board

Application for Release of Lots from Planning Board Covenants

Effective June 1, 2007

OFFICIAL USE:

Date of Receipt: _____ Received By: _____ Date of Approval: _____
Complete _____ Not Complete _____ Date : _____

The following application is made to the City of Lowell Planning Board in accordance with the provisions of Massachusetts General Law Chapter 41, Sections 81K-81GG, "The Subdivision Control Law," and the City of Lowell Subdivision Regulations.

1. Application Information

Address of Property Location: _____

Owner: _____

Address: _____

Zip Code: _____ Telephone No. _____ FAX No. _____

Email: _____

Second Owner (if applicable): _____

Address: _____

Zip Code: _____ Telephone No. _____ FAX No. _____

Email: _____

Owner's Agent: _____

Title: _____

Address: _____

Signature: _____

Telephone No: _____ FAX No.: _____

Email: _____

Tenant/Lessee/Purchaser (If Applicable): _____

Title: _____

Address: _____

Signature: _____

Telephone No: _____ FAX No.: _____

Email: _____

2. Property Information

Subdivision Name: _____

Definitive Plan Recorded at the Middlesex North Registry of Deeds: Book _____ Page _____

Covenants Recorded at the Middlesex North Registry of Deeds: Book _____ Page _____

Number of Lots in Subdivision: _____ Number of Lots Already Released: _____

Lot Numbers for which release is requested: _____

3. Performance Bond

In order to request release of lots, the applicant must supply a written estimate with costs for all work remaining to complete the subdivision as approved by the Planning Board. The Lowell City Engineers must agree to all contractor-supplied estimates for work remaining and costs. The agreed-upon estimates will form the basis for performance bonding and release of lots from covenants.

Is the Lowell Planning Board holding a Performance Bond for this project? (circle one) Yes No

If yes, what is the current account or letter of credit balance: _____

If no, will a bond be established for this project? (circle one) Yes No

Amount of Bond Proposed: _____

Name of Institution Where Bond is being or will be Held: _____

Contact: _____

Title: _____

Address: _____

Signature: _____

Telephone No: _____ FAX No.: _____

Date Established: _____ Expiration Date: _____

4. Lot Release Submission Requirements

Place a check mark next to each item to confirm that it is included in this package:

_____ A. Completed Application for the Release of Lots from Planning Board Covenants (this form).

_____ B. Detailed cost estimate of all work remaining to complete subdivision as approved by the Planning Board. This estimate must be endorsed by the Lowell City Engineer.

_____ C. A narrative or other supporting material which may be requested by the Planning Board.

_____ D. Filing fees as established by the Lowell Planning Board and Lowell City Council.

5. Authorization (Must be Signed by the Owner of the Property)

I am the record owner of the property for which this application is being filed and as such, I am familiar with the details of this request as it impacts my property.

I hereby give permission for this application to be filed with the full understanding that certain restrictions may be placed on the property relative to the approval of this request.

I further certify that under the penalties of perjury, I am authorized to sign this application.

Name (Please Print): _____

Title: _____

Signature: _____

Date: _____

If representing a group, corporation, or other organization please attach a copy of the vote authorizing you to act on behalf of such organization for the purposes of this application.

6. Lot Release Process

Lots may be released without a vote of the Planning Board, only if **all of the following conditions** are met:

- a. The covenant from which the lots are to be released was signed on behalf of the Planning Board on or after October 6, 2003, and clearly states that the administrative release is allowed.
- b. The developer provides a performance bond or cash security (a tri-party agreement will NOT be acceptable for an administrative release of lots) for the full amount required by the City Engineer after the Engineer completes an inspection.
- c. The Planning Department agrees that the project has no outstanding issues, violations from the original plan or violations from the conditions that cannot be addressed with the funds from the bond or security.
- d. The developer has not conveyed any lot in violation of the covenant.

All other cases will require the developer to secure a vote from the Planning Board before any lot can be released.

An application will not be considered complete and will not be submitted to the Planning Board for its action until all required documentation/information has been submitted to the Planning Board Administrator and filed with the City Clerk by the correct deadline. Regular meetings of the Planning Board are generally held on the first and third Monday of the every month (only one meeting is held in July, August, and December). Completed site plan applications are generally due by NOON on the Friday that is 31 days prior to the regularly scheduled Planning Board meeting when a public hearing will be held. For a complete schedule, please contact the Planning Board Administrator or log on to www.lowellma.gov/depts/DPD/permitting.

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